

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this document (including any paper referred to as being attached or enclosed) is being sent to the U.S. Patent and Trademark Office via facsimile transmission to (703) 872-9307 on the date indicated below, with a coversheet addressed to Assistant Commissioner for Patents, U.S. Patent and Trademark Office, Washington, D.C., 20231.

Date: October 30, 2002

By: [Signature]  
William F. Gadiano, Registration No. 37,176

P. TUCK  
#14  
1/19/03

**CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No.: 045112-023  
First Named Inventor: Steven M. BESSETE  
Examiner: N. Levy  
Group Art Unit: 1616

This is a request for a Continuation application under 37 CFR 1.53(d). (continued prosecution application (CPA)) of prior application number 09/340,391 filed on June 28, 1999, entitled **SYNERGISTIC AND RESIDUAL PESTICIDAL COMPOSITIONS CONTAINING PLANT ESSENTIAL OILS WITH ENZYME INHIBITORS**.

**NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b) and filed on or after June 8, 1995, or (2) the national state of an international application in compliance with 35 USC 371 and filed on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.33(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 USC 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 USC 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 USC 120 and to every application assigned the application number identified in such request, 37 CFR 1.76(a).

01/09/2003 PTUCK1 00000003 500417 09340391

01 FC:2006	370.00 CH
02 FC:2254	720.00 CH
03 FC:1460	130.00 CH

WDC99 673712-1.045112.0023

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Docket No. 045112-023

09/340,391

1. ☐ Enter the unentered amendment previously filed on under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

	NO. OF CLAIMS		EXTRA CLAIMS	RATE	AMOUNT
Total Claims	17	-20	0	\$18.00 =	\$0.00
Independent Claims	3	-3	0	\$84.00 =	\$0.00
Basic Application Fee					\$740.00
If multiple dependent claims are presented, add \$0.00					\$0.00
Total Application Fee					\$740.00
Subtract ½ if small entity					\$370.00
<b>TOTAL APPLICATION FEE DUE</b>					<b>\$370.00</b>
<b>AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT NO. 500417</b>					<b>\$370.00</b>

6. Small entity status:
  - a. ☐ A small entity statement is enclosed.
  - b. ☒ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
  - c. ☐ Is no longer claimed
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 500417;
  - a. ☒ Fees required under 37 CFR 1.16.
  - b. ☒ Fees required under 37 CFR 1.17.

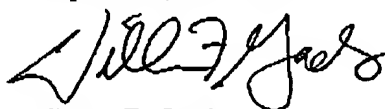
Docket No. 045112-023

09/340,391

8. Please grant a four (4) month extension of time and charge the small entity extension fee of \$720.00 to Deposit Account #500417. To the extent necessary, a petition for an extension of time under 37 CFR 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.
9. ☒ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.1.03(c) for a period of 3 months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(h) required) Please charge the Suspension of Action Petition Fee of \$130.00 to Deposit Account #500417.
10. Additional Attachments:
- a. ☐ Extension of Time
- b. ☐ Other:

NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

Respectfully submitted,



Willem F. Gadiano  
Registration No. 37,136

Date: October 30, 2002

MCDERMOTT, WILL & EMERY  
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Date:

October 30, 2002

By:

  
Willem F. Gadiano, Registration No. 37,176

A Partnership Including  
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GROUP 1600

MCDERMOTT, WILL &amp; EMERY

FACSIMILE

**FROM:**

Attorney:	<u>Willem F. Gadiano</u>	Direct Phone:	<u>202-756-8373</u>
Attorney's E-Mail:	<u>wgadiano@mwe.com</u>		
Secretary:	<u>Diana Davis</u>	Direct Phone:	<u>202-756-8604</u>
Client/Matter/Tkpr:	<u>45112-023</u>	Date:	<u>October 30, 2002</u>
		Time Sent:	
		Number of pages including this page:	<u>4</u>

**TO:**

	Assistant Commissioner for Patents BOX CPA		
Name:	<u>c/o EXR. NEIL LEVY</u>	Facsimile No.	<u>703-872-9307</u>
			<u>703-308-0198 - TC 1600 Customer Svc.</u>
Company:	<u>USPTO Group 1616</u>	Contact No.	<u>703-308-2412 - Examiner Levy</u>

Attached for filing in Application Serial No. 09/340,391 is:

- 1) **Continued Prosecution Examination (CPA) Transmittal**  
**with Petition for Extension of Time (Four Months) and**  
**Petition to Commissioner for Suspension of Action of Three**  
**Months**

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